

# Ninety-First Regular Session

WEDNESDAY, August 17, 1994

The chief clerk makes the following entries under the above date.

State of Wisconsin  
Ethics Board

August 16, 1994

## PETITIONS AND COMMUNICATIONS

State of Wisconsin  
Legislative Audit Bureau

August 11, 1994

To the Honorable the Legislature:

We have completed an evaluation of the new technology available to assist in transcription of circuit court proceedings, as requested by 1993 Wisconsin Act 16. At present, all circuit court proceedings are recorded by court reporters, who, upon request and for a fee, produce a written transcript.

Court reporters could be replaced by audio recording equipment in at least eight courtrooms where few transcripts are requested. Providing audio systems in every county as backup when court reporters are absent could also improve efficiency. After an initial cost of up to \$498,000, audio recording could save at least \$206,800 annually. However, when it is likely that a transcript will be requested, the savings in using audio equipment are reduced by the cost of personnel needed to track the proceeding and handle equipment malfunctions.

Advances in computer-aided transcription techniques have reduced by half the time a court reporter needs to produce an official transcript from shorthand notes. While all court reporters should be required to use this technology to speed the litigation process, such a requirement calls into question the current compensation structure for court reporters.

Although they have been state employees since 1978, court reporters continue to supply all the equipment they use and to pay for training to update their skills. In return, they retain the statutorily prescribed fees charged for transcripts in addition to their regular salaries, which averaged \$33,660 in 1993. These fees, which totaled \$1.7 million in 1993, are intended to compensate for the cost of equipment and training as well as the extra hours reporters work to record lengthy proceedings and produce transcripts on a timely basis. Since computer-aided transcription has reduced the time required, we believe the State should begin to pay for reporters' equipment, training, and overtime and then retain the transcript fees to pay for these and other court costs.

We appreciate the courtesy and cooperation extended to us by staff in the Director of State Courts' office and other officials associated with the circuit courts. The Director of State Courts' response is the appendix.

Sincerely,  
Dale Cattanach  
State Auditor

To the Honorable the Senate:

At the direction of s. 13.685(7), Wisconsin Statutes, I am notifying you of changes in the Ethics Board's records of licensed lobbyists and their employers.

**Organization's termination of lobbyists:** Each of the following organizations previously registered with the Ethics Board as the employer of a lobbyist has withdrawn, on the date indicated, its authorization for the lobbyist identified to act on the organization's behalf.

### CH.A.D.D. State A.D.D. Council of Wisconsin

Spellmeyer, Grant 8/15/94

### Feed, Seed and Farm Supply Assn, Wisconsin

Roesler, Eldon 8/10/94

### Milwaukee Police Assn, Local #21 IUPA, AFL-CIO

Krueger, Bill 7/27/94

**Organization's cessation of lobbying activity:** Each of the following organizations previously registered with the Ethics Board as the employer of a lobbyist has indicated a cessation of all lobbying activity effective on the date shown.

**A.C. Nielsen Co** 8/15/94

**Animal Health Institute** 8/12/94

**Grain Dealers Assn, Inc, Wisconsin** 8/08/94

**Kenosha Water Utility** 8/10/94

**Manitowoc County H C E B** 8/15/94

**Winnebago County** 8/10/94

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by the organizations that employ lobbyists.

Sincerely,  
R. Roth Judd  
Executive Director

State of Wisconsin  
Ethics Board

August 9, 1994

To the Honorable the Senate:

At the direction of s. 13.685(7), Wisconsin Statutes, I am notifying you of changes in the Ethics Board's records of licensed lobbyists and their employers.

**Organization's authorization of additional lobbyists:** The following organizations previously registered with the Ethics Board as employers of lobbyists have authorized to act on their behalf these additional licensed lobbyists:

**Dental Hygienists Assn, Wisconsin**

Broydrick, Cynthia

**Electric Power Co, Wisconsin**

McNulty, Barry

**Natural Gas Co, Wisconsin**

McNulty, Barry

**Pharmaceutical Research and Manufacturers of America**

Petersen, Eric

**Organization's termination of lobbyists:** Each of the following organizations previously registered with the Ethics Board as the employer of a lobbyist has withdrawn, on the date indicated, its authorization for the lobbyist identified to act on the organization's behalf.

**Citizens' Utility Board**

Blythe, Christopher 12/31/93

**Miller Brewing Co**

Gimbel, Tod 8/8/94

**Quality Health Care/1199/SEIU, United Professionals for**

Taranto, Mindy 7/31/93

**Rural Development Center, Wisconsin**

Griffith, Katherine 12/31/93

**Organization's cessation of lobbying activity:** Each of the following organizations previously registered with the Ethics Board as the employer of a lobbyist has indicated a cessation of all lobbying activity effective on the date shown.

**Fair Convention Taxation, Alliance for** 8/5/94

**Fraternal Congress, Wisconsin** 8/2/94

**Fry, M. Susanna** 8/2/94

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by the organizations that employ lobbyists.

Sincerely,

R. Roth Judd

Executive Director

State of Wisconsin  
Department of Health and Social Services

August 3, 1994

To the Honorable the Legislature:

As required in Sections 227.485(9) and 814.245(10) of the Wis. Stats., I am submitting the report concerning decisions and resulting payments of Attorney fees and related legal costs. Attorney fees and other legal costs are to be paid whenever the opposing party to an agency's Chapter 227 hearing prevails and it's determined the agency's position was not substantially justified. Payments for SFY 1994 are shown on the attached schedule.

In addition, the Department is required to report any awards granted to the Department regarding frivolous motions brought against this Department. If the hearing examiner determines that the motion of the opposing party in any Chapter 227 contested case is frivolous, the examiner may award the state agency all reasonable costs in responding to the motion. In SFY 1994, no motions of opposing parties were found to be frivolous. Consequently, the Department has no awards to report.

Sincerely,  
Gerald Whitburn  
Secretary

State of Wisconsin  
Department of Industry,  
Labor and Human Relations

August 12, 1994

To the Honorable the Legislature:

Pursuant to the requirements of 1993 Wisconsin Act 16, Section 9130(4x), I am transmitting a report relating to the conversion of the Wisconsin Fund from a grant program to a loan program.

The report provides information on the current grant program and discusses loan programs in general. Additionally, the report; (1) identifies possible advantages and disadvantages of converting the program; (2) provides a suggested timeline to allow for smooth transition of the program should the Legislature choose to convert the program next session; (3) identifies policy issues which would need to be addressed to determine the scope of program conversion costs and benefits, and; (4) recommends that if the program is converted it should be transferred to an agency with the authority and expertise to administer loan programs.

Please contact me directly if you have any questions pertaining to the report.

Sincerely,  
Carol Skornicka  
Secretary

EXECUTIVE COMMUNICATIONS

State of Wisconsin  
Office of the Governor

July 29, 1994

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint CHRISTINE NUERNBERG of Mequon, as a member of the Real Estate Examining Board pursuant to the statute governing, to serve for the interim term ending July 1, 1997.

Respectfully,  
Tommy Thompson  
Governor

Read and referred to committee on Business, Economic Development and Urban Affairs.

SENATE CLEARINGHOUSE ORDERS

The committee on Transportation, Agriculture, Local and Rural Affairs reports and recommends:

**Clearinghouse Rule 93-232**

Relating to dairy plants and milk haulers.

No action taken.

Alan J. Lasee  
Chair

The committee on Business, Economic Development and Urban Affairs reports and recommends:

**Clearinghouse Rule 93-238**

Relating to the passing score of examinations for barbers and cosmetologists, managers, aestheticians, manicurists and electrologists.

No action taken.

**Clearinghouse Rule 93-224**

Relating to standards for dispensing and prescribing prescription orders.

No action taken.

**Clearinghouse Rule 94-27**

Relating to the syllabus for instruction for the practitioner license and for the manicurist license in schools licensed under s. 440.62, Stats., to include the topic of artificial nails in the syllabus for each license.

No action taken. The committee on Business, Economic Development and Urban Affairs reports and recommends:

**Clearinghouse Rule 94-60**

Relating to economic empowerment grants.

No action taken.

**Clearinghouse Rule 93-211**

Relating to forms, definitions, trust funds, earnest money and promissory notes.

No action taken.

**Clearinghouse Rule 94-56**

Relating to accreditation of educational programs for physician's assistants.

No action taken.

**Clearinghouse Rule 94-38**

Relating to reciprocal certificates.

No action taken.

**Clearinghouse Rule 94-97**

Relating to the business development initiative program.

No action taken.

George Petak  
Chair

The committee on Environment and Energy reports and recommends:

**Clearinghouse Rule 92-78**

Relating to the endangered resources small grants program.

No action taken.

**Clearinghouse Rule 93-115**

Relating to safe drinking water.

No action taken.

**Clearinghouse Rule 93-185**

Relating to well construction and pump installation.

No action taken.

**Clearinghouse Rule 93-186**

Relating to medical waste.

No action taken.

**Clearinghouse Rule 93-206**

Relating to the regulation of organic compound emissions from traffic marking material.

No action taken.

**Clearinghouse Rule 93-207**

Relating to the control of VOC emissions from gasoline storage tank vent pipes.

No action taken.

**Clearinghouse Rule 93-208**

Relating to the control of organic compound emissions from solvent cleaning operations.

No action taken.

**Clearinghouse Rule 94-4**

Relating to readjustment of daily bag limits for walleye in response to current year population estimates.

No action taken.

**Clearinghouse Rule 94-5**

Relating to the 1994 hunting seasons.

No action taken.

**Clearinghouse Rule 94-10**

Relating to volatile organic compound emissions from molded wood parts and products and wood door coating.

No action taken.

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**Senate Clearinghouse Rule 94-11**

Relating to revisions of the rules regulating the remediation of contaminated water and soil.

No action taken.

**Senate Clearinghouse Rule 94-47**

Relating to sport fishing and fish refuges.

No action taken.

**Senate Clearinghouse Rule 94-48**

Relating to hunting, trapping and motorboat use.

No action taken.

Robert Cowles  
Chair

**Senate Clearinghouse Rule 92-174**

Relating to provision of transportation services under the medical assistance program.

Submitted by Department of Health and Social Services.

Report received from agency, August 17, 1994.

Referred to committee on Health, Human Services and Aging, August 17, 1994.

**Senate Clearinghouse Rule 94-31**

Relating to the investigation and remediation of environmental contamination at sites or facilities subject to the environmental repair statute, the hazardous substance spills statute or the abandoned container statute, and to the remediation of soil contamination at certain solid waste facilities, hazardous waste facilities and wastewater sludge storage facilities, lagoons and storage and treatment structures.

Submitted by Department of Natural Resources.

Report received from agency, August 16, 1994.

Referred to committee on Environment and Energy, August 17, 1994.